

A Over age, unmarried; lives in Baltimore. He is a son. Then there is another one: John D. Martin, a son, over age, unmarried, living in Baltimore.

Q At the time of Mrs. Martin's death did she possess and own a piece of property or a tract of land containing about five acres, located about a mile southeast of Emmitsburg on the State highway from Emmitsburg to Frederick?

A Yes, sir.

Q Who was this land purchased from?

A John Barry.

Q John T. Barry. I hand you certified copy of a deed. Will you look at the deed and state whether or not the land described in that deed is the same land referred to in the bill of complaint?

A It looks like it. To the best of my knowledge it is.

Q Mrs. Martin owned only one piece of land in that vicinity?

A That is all she owned.

Q Is this particular land we are talking about improved or unimproved?

A Unimproved.

Q Does it pay any income?

A None at all.

Q Or revenue?

A None.

Q What has happened to that land? Has it been sold or--

A Sold to a man named Walters.

Q Do you recall what it was sold for - the purchase price?

A \$400.

Q And that was cash, to be paid in cash?

A To be paid cash.

Q In your opinion, Doctor, can this land be partitioned among the parties in interest without any individual loss or damage to their interests?